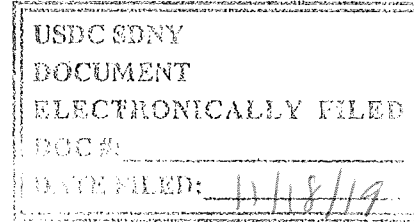


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



-----X
JONATHAN KUHL,

Plaintiff,

v.

U.S. BANK TRUST NATIONAL
ASSOCIATION, NOT IN ITS INDIVIDUAL
CAPACITY BUT SOLELY AS OWNER
TRUSTEE FOR LEGACY MORTGAGE
ASSET TRUST 2018GS-1; MTGLQ
INVESTORS, LP; and RUSHMORE LOAN
MANAGEMENT SERVICES LLC,
Defendants.
-----X

ORDER

19 CV 8403 (VB)

On October 15, 2019, defendant MTGLQ moved to dismiss the complaint (Doc. #12) and defendant Rushmore sought an extension of time to answer, move, or otherwise respond to the complaint (Doc. #15). The Court granted Rushmore's request and further ordered plaintiff not to respond to defendant MTGLQ's motion to dismiss until further Court Order. (Doc. #16).

On November 15, 2019, Rushmore moved to dismiss the complaint. (Doc. #17).

In addition, plaintiff's address on the docket is 115 South Quaker Lane, Hyde Park, NY 12538. However, in at least one prior submission, plaintiff stated his address was 11 Melanie Way, Hyde Park, NY. (Doc. #4). In addition, Rushmore inexplicably served a copy of its motion to dismiss on plaintiff at 115 Melanie Way, Hyde Park, NY 12538. (Doc. #19).

Accordingly, it is HEREBY ORDERED:

1. By December 18, 2019, plaintiff shall submit an opposition to the pending motions to dismiss. (Docs. ##12, 15). **Plaintiff shall file a single opposition, no more than twenty-five pages, in response to both motions.** Defendants' replies, if any, are due January 3, 2020.

2. It is plaintiff's responsibility to update his address the Court in writing as to his current address. Accordingly, by December 18, 2019, plaintiff shall update the Court in writing as to his current address. **If plaintiff fails to update the Court in writing as to his address, the Court may dismiss this case for failure to prosecute or comply with Court Orders. See Fed. R. Civ. P. 41(b).**

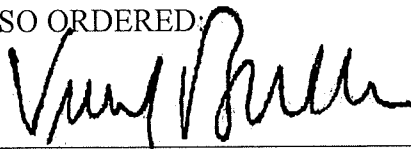
3. By November 20, 2019, Rushmore shall re-serve its motion to dismiss on plaintiff at 115 South Quaker Lane, Hyde Park, NY 12538, and 11 Melanie Way, Hyde Park, NY 12601, and file proof of service of same on the docket.

The Clerk is directed to mail a copy of this Order to plaintiff at (i) 115 South Quaker Lane, Hyde Park, NY 12538, and (ii) 11 Melanie Way, Hyde Park, NY 12601.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this Order would not be taken in good faith, and therefore in forma pauperis status is denied for the purpose of an appeal. Cf. Coppedge v. United States, 369 U.S. 438, 444–45 (1962).

Dated: November 18, 2019
White Plains, NY

SO ORDERED:

A handwritten signature in black ink, appearing to read "Vincent L. Briccetti", written over a horizontal line.

Vincent L. Briccetti
United States District Judge